IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION

CRIMINAL APPLICATION NO.3117 OF 2006

Kalidas Jalinder Thorat — Applicant
versus
The State of Maharashtra — Respondent

Abhaykumar Apte for applicant.
P.S.Hingorani, APP for respondent.

CORAM : S.C.DHARMADHIKARI, J.

DATE : 30th August 2006

PC :

1. It appears that the order of the Trial Court is dated 18th July 2006 on a bail application preferred on 13th July 2006. However, in the present application a specific averment is made that the charge sheet is filed in the Court of JMFC, Court No.4, Pune on 17th July 2006 and thus the investigation is complete.

2. In my view, there is no reference to this aspect in the order under challenge and it appears that the charge sheet was filed just a day prior to the said order. In such circumstances, it would be appropriate if the

present application is disposed of by granting liberty to the applicant to move the Trial Court afresh and point out the circumstances after the charge sheet is filed and the investigations are complete. Such application, if made, shall be considered on its own merits and without being influenced by the observations in the earlier order.

(S.C.DHARMADHIKARI, J.)